



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

JUN 30 2004

BY FACSIMILE (713-615-5771) AND FIRST CLASS MAIL

Walker Beavers, Esq.
Vinson and Elkins, LLP
1001 Fannin
Houston, TX 77002

RE: MUR 4818
Paul Beavers

Dear Mr. Beavers:

On June 2, 2004 the Federal Election Commission accepted the signed conciliation agreement and civil penalty submitted on your client's behalf in settlement of a violation of 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). Accordingly, the file has been closed in this matter. Please be advised that the civil penalty in this agreement reflects unusual factors brought forth during the investigation.

Documents related to the case will be placed on the public record within 30 days. See Statement of Policy Regarding Disclosure of Closed Enforcement and Related Files, 68 Fed. Reg. 70,426 (Dec. 18, 2003). Information derived in connection with any conciliation attempt will not become public without the written consent of the respondent and the Commission. See 2 U.S.C. § 437g(a)(4)(B).

Enclosed you will find a copy of the fully executed conciliation agreement for your files. If you have any questions, please contact me at (202) 694-1650.

Sincerely,

A handwritten signature in cursive script, reading "Margaret J. Toalson".

Margaret J. Toalson
Attorney

Enclosure
Conciliation Agreement

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Paul E. Beavers

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MUR 4818

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission (the "Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. The Commission found reason to believe that Paul E. Beavers ("Respondent") knowingly and willfully violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended (the "Act").

NOW, THEREFORE, the Commission and the Respondent, having participated in informal methods of conciliation, prior to a finding of probable cause to believe, do hereby agree as follows:

- I. The Commission has jurisdiction over the Respondent and the subject matter of this proceeding, and this agreement has the effect of an agreement entered pursuant to 2 U.S.C. § 437g(a)(4)(A)(i) and 11 C.F.R. § 111.18(d).
- II. Respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.
- III. Respondent enters voluntarily into this agreement with the Commission.

IV. The pertinent facts in this matter are as follows:

Actors

1. Walter L. Roberts ("Roberts") was a candidate for Oklahoma's Third Congressional District in 1998. Roberts is also an artist and was the owner of an auction company ("Auction Company") located in McAlester, Oklahoma.
2. Walt Roberts for Congress (the "Committee") was the political committee within the meaning of 2 U.S.C. § 431(4) for Roberts.
3. The primary election for the Democratic nomination to represent Oklahoma's Third Congressional District, which Roberts ran in, occurred on August 25, 1998. Roberts received the most votes in the primary, but not enough to avoid a runoff election, held on September 15, 1998. The general election occurred on November 3, 1998.
4. Gene Stipe was the founder of The Stipe Law Firm (the "Firm") located in McAlester, Oklahoma, where he was a senior partner. Gene Stipe was also an Oklahoma state senator representing a portion of Southeastern Oklahoma, and a friend to Roberts.
5. Charlene Spears was employed by Gene Stipe ("Stipe") and was involved in Roberts' campaign.
6. Respondent is an acquaintance of Stipe. Edith "Susie" Beavers was Respondent's wife and is an acquaintance of Stipe.

Applicable Law

7. The Act makes it unlawful for any person to contribute more than \$1,000 per election to any candidate and his authorized political committee for Federal office. 2 U.S.C. § 441a(a)(1)(A).
8. It is also unlawful for any person to make a contribution in the name of another, or for any person to knowingly permit his or her name to be used to make such a contribution. Moreover, no person may knowingly help or assist any person in making a contribution in the name of another. 2 U.S.C. § 441f; 11 C.F.R. § 110.4(b)(1)(iii).

Factual Background

9. In February 1998, Stipe or Roberts asked Respondent and Susie Beavers financially to support Roberts by making campaign contributions to the Committee.
10. On February 9, 1998, Respondent wrote a check for \$250 from a checking account jointly held with Susie Beavers to the Committee. On the same date, Susie Beavers wrote a check for \$250 from the joint checking account to the Committee.
11. Subsequently, Stipe or Roberts asked Respondent and Susie Beavers to make additional campaign contributions to the Committee. On March 26, 1998, Respondent wrote a second check for \$750 from the joint checking account to the Committee.

12. Shortly after the runoff election on September 15, 1998, Stipe or Roberts asked Respondent and Susie Beavers to contribute additional monies to the Committee.
13. Two checks were then written to the Committee each in the amount of \$2,500 on October 20, 1998, from the joint checking account of "Paul or E. Susie Beavers." Susie Beavers signed her name to one check and Respondent contends that Susie Beavers signed his name to the other check. Susie Beavers wrote an additional check for \$750 from the joint checking account to the Committee.
14. Previously, Susie Beavers endorsed and deposited two checks for \$7,500 each from Stipe, dated October 10, 1998, and October 14, 1998, into the joint checking account held by her and Respondent.
15. As a result, the Committee misreported contributions as from Respondent and Susie Beavers as follows:

Straw Contributor	Conduit	Amount of Contribution	Date of Contribution	Date Report filed with FEC
Paul Beavers	Paul Beavers	\$250	3/11/98	4/15/98
Paul Beavers	Paul Beavers	\$750	3/26/98	4/15/98
Paul Beavers	Paul Beavers	\$1,000	10/22/98	12/3/98
Paul Beavers	Paul Beavers	\$1,250	10/22/98	12/3/98
Edith Susie Beavers	Edith Susie Beavers	\$250	3/11/98	4/15/98
Edith Susie Beavers	Edith Susie Beavers	\$750	10/22/98	12/3/98
Edith Susie Beavers	Edith Susie Beavers	\$1,000	10/22/98	12/3/98
Edith Susie Beavers	Edith Susie Beavers	\$1,000	10/22/98	12/3/98

16. Respondent contends that he did not intend to violate any laws, but Respondent now acknowledges that his actions violated the Act.

Violations

V. Respondent Paul E. Beavers violated 2 U.S.C. § 441f. Respondent will cease and desist from violating 2 U.S.C. § 441f.

Civil Penalty

VI. The Commission has determined that the appropriate civil penalty in this matter is Fifteen Thousand Two Hundred Fifty dollars (\$15,250.00), pursuant to 2 U.S.C. § 437g(a)(5)(A). Respondent contends, however, that financial hardship prevents him from paying this civil penalty. Due to the mitigating circumstance pertaining to Respondent's material representation of his financial condition, the Commission agrees to depart substantially from the civil penalty that the Commission believes is justified in this matter. Respondent will pay a civil penalty to the Federal Election Commission in the amount of Seven Thousand Five Hundred Dollars (\$7,500.00), pursuant to 2 U.S.C. § 437g(a)(5)(A).

Other Provisions

VII. Respondent agrees that the Commission's acceptance of this agreement is conditioned on the truthfulness of his representation of his financial condition. Respondent further agrees that if he materially misrepresented his financial condition, such misrepresentation shall constitute a violation by Respondent of this agreement. In the event that this agreement is violated, an additional Seven Thousand Seven Hundred Fifty Dollars (\$7,750.00) shall be immediately due, pursuant to 2 U.S.C. § 437g(a)(5)(A).

VIII. The Commission, on request of anyone filing a complaint under 2 U.S.C. § 437g(a)(1) concerning the matters at issue herein or on its own motion, may review compliance with this agreement. If the Commission believes that this agreement or any requirement thereof

has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

IX. Respondent shall have no more than thirty days from the date this agreement becomes effective to comply with and implement the requirements contained in this agreement.

X. This Conciliation Agreement resolves any and all involvement that Respondent may have had in the Roberts' campaign of 1998 and constitutes the entire agreement between the parties. No other statement, promise, or agreement, either written or oral, made by either party or by agents of either party that is not contained in this written agreement shall be enforceable.

FOR THE COMMISSION:

Lawrence H. Norton
General Counsel

BY:

Rhonda J. Vosdigh
Rhonda J. Vosdigh
Associate General Counsel
for Enforcement

10/29/09
Date

FOR THE RESPONDENT:

Walker W. Beavers
Walker W. Beavers
Attorney for Paul E. Beavers

February 25, 2010
Date